

Grave Robbing in New England

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THREE different terms were used in the nineteenth century in referring to the illegal disinterment of human bodies. The uncouth called it "body snatching." Those members of the medical profession who used more elegant language designated it as "resurrection." The more common appellation was "grave robbing," although this phrase is technically incorrect because the words "stealing," "theft," and "robbery" connote the taking of property and a dead human body is not property. This legal principle appeared in English common law long ago.¹ It has been affirmed by numerous court decisions in both England and the United States. A decision of the Supreme Court of California in 1900 is an example.²

A corollary of this legal principle is that a person, while living, cannot legally devise by will nor convey by gift or contract what will later be his dead body. One legislature in New England in 1869 attempted to supersede this general principle of law with enactment of a statute which read: "If any person requests during his life that his body be delivered to a regular physician or surgeon for the advancement of anatomical science after his death, it may be used for that purpose unless some kindred or friend asks, within three days, that it be buried."³

Many teachers of anatomy have been approached by vagrants with offers to sell their bodies, payment to be immediate and delivery after death. Aside from the fact that the place of death of a vagrant cannot be predicted, such a sale would have no validity and the contract could not be legally enforced, even if the body were located.

LAWS AGAINST GRAVE ROBBERING

Neither the common nor the statutory law of England, which governed the American colonies, provided any penalty for exhumation of a human body. However, the taking of the shroud or other apparel

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constituted a felony under the common law, "for the property thereof remains in the executor or whoever was in charge of the funeral."⁴ Also the person, if any, "who has a freehold of the soil, may bring action of trespass against such as dig or disturb it."⁵

This was the only English law related to grave robbing throughout the period of the American colonies. In England, in 1788, it was "determined that stealing dead bodies, though for the improvement of the science of anatomy, is an indictable offense as a misdemeanor."⁶

Inasmuch as the English law governing the American colonies contained no penalty for disinterring a dead human body, one must seek specific supplementary statutes enacted by the assemblies of the several colonies, to find any law in the colonies of New England affecting such an act.

The first code of laws in the colonies of New England was *The Body of Liberties*, adopted in the Massachusetts Bay Colony in 1641; it does not mention any penalty for the disinterment of human bodies.⁷ The next that was published was a code in Connecticut in 1650.⁸ Neither it, nor any of its revisions in the colonial period, mention grave robbing. New Hampshire became an independent colony in 1679. The index of the complete colonial laws of this colony contains no reference to grave robbing. Its first law on this subject was enacted in 1796, eight years after the state was admitted to the Union. Vermont was not an independent colony. Its first law on this subject was enacted in 1804. The first law on the subject enacted in Massachusetts was passed in 1815.⁹ Maine was a district of Massachusetts until 1820.

I have found only two laws enacted in any of the colonies of New England which may be a prohibition of disinterment of human bodies. The assembly of Rhode Island in 1655 adopted the following: "If any person shall be accused of robbing any grave if ye Corte be satisfied of the probation of it, ye party or parties shall be fined or suffer corporall punishment, or both, as ye Generall Corte of tryalls shall judge."¹⁰ The relatively light penalty suggests that this act may have referred only to taking something from the surface of the grave.

"An Act against Conjuration, Witchcraft, and Dealing with Evil and Wicked Spirits" adopted in Massachusetts in 1692 included the following: "Be it enacted . . . that if any person or persons . . . shall take up any dead man, woman, or child out of his, her, or their grave, or any other place where the dead body resteth, or the skin or bone or any other part of any dead person to be employed or used in any manner of witchcraft, sorcery, charm, or enchantment, he, she, or they shall suffer death." This law was invalidated by the English courts a few years later because of technical reasons.

The paucity of laws in the colonial period of New England indicates

that the public did not suspect any considerable amount of grave robbing, but physicians who were preceptors needed human bodies for dissection for proper teaching of their students and also for their own increase of knowledge, especially in preparation for the practice of surgery. It is probable that there was grave robbing by physicians or their agents in the colonial period of New England in excess of what the public suspected, because the legal acquisition of dead human bodies was extremely limited.

The only legal source of material for dissection in the colonial period was from the power of a judge, at his discretion, in sentencing a murderer to execution, to add the further penalty that the body should be delivered to a physician for dissection. This was the English common law well before the first settlement in New England in 1620, and a rule in *The Body of Liberties* shows that it was familiar in New England in 1641.¹¹ This provision became an English statutory law in 1752.¹² The executions for murder in New England were few, and the imposing of the additional sentence of dissection was yet more rare. I have found no record of such action in specific cases in New England, although some general references to this procedure are on record.

Public opinion connected grave robbing with teaching of anatomy in medical colleges, and when medical colleges began to arise in New England after the Revolutionary War, the public fear of grave robbing increased and influenced enactment of laws against the offense. New Hampshire furnishes an example of this influence. The authorities of Dartmouth College announced in the spring of 1796 that they proposed to inaugurate institutional teaching of medicine. The General Assembly of New Hampshire in June of that year enacted the first statute in that state regarding grave robbing. It provided as penalties a fine not to exceed \$1,000, imprisonment not to exceed one year, and public whipping not to exceed thirty-nine stripes, any or all of these to be imposed at the discretion of the court.¹³ Punishment by thirty-nine stripes goes back to the era of the New Testament.¹⁴ It was a reduction by one from the original forty stripes applied by the early Hebrews, as recorded in the Old Testament.¹⁵

The medical instruction at Dartmouth College was only one mile from the border of the state of Vermont, and in 1804, the assembly of that state enacted a statute with penalties similar to those in New Hampshire.¹⁶

Each of the five states of New England had a law against grave robbing before 1818. Maine became the sixth state in 1820 and in the first session of its legislature enacted a statute similar to that of Massachusetts.¹⁷

These laws had certain common characteristics, and also provisions

peculiar to the statutes of particular states. The early laws imposed the three types of penalties of fines, imprisonment, and public whipping. I have found no law revised after 1810 that contains the penalty of public whipping for grave robbing in any state in New England. The statutes concerning this offense were amended, revised, and rewritten several times in each state. Examination of all the statutes and their revisions shows a range of fines from not to exceed \$100 up to a maximum of \$10,000, and terms of imprisonment from not to exceed three months up to fifteen years. The severity of the penalties increased as more medical colleges arose in New England and the number of medical students became greater. Legislators attempted to combat grave robbing by imposing more severe penalties rather than by the more logical procedure of providing more sources of legal acquisition of bodies.

The early laws provided the same penalties for transportation, concealment, or possession of a disinterred body as for the actual disinterment, and possession was defined as the presence of a body on premises controlled by the accused. The penalties for possession disappeared from the statutes soon after 1830.

Enactment of laws is one phase of the problem; their enforcement is quite a different matter. The vast majority of illegal disinterments were not discovered, and when detected the offenders were rarely apprehended. Arrests and indictments were few, and convictions yet fewer. It would be a great task to investigate the records of all courts in New England to secure complete statistics, but a sample can be given.

Grave robbing was a felony in Vermont and indictment and trial for any felony rested in the higher county courts. The clerk of each county court was required during a considerable period of the nineteenth century to report annually to the attorney general of the state all indictments and trials for felonies in his county. These reports included names of offenders, the crimes charged, and results of trials held; and they were published each year in the journal of the General Assembly.

Examination of these reports for the twenty years from 1820 to 1840 shows only seven indictments for the felony of "distinterring the body of the dead." These involved four disinterments and five offenders. One indicted person was never brought to trial. Two men, indicted for a single disinterment, were acquitted by a jury trial. Two indictments were found against each of two men for joint disinterment of two bodies. One indictment against each was quashed. They were jointly tried under the remaining indictments, convicted, and suffered punishment.

In these twenty years one, two, or three medical colleges were in

operation in Vermont and graduated 792 men in course. They were attended by a larger number of students who were not graduated from any medical college in Vermont, making over 1,600 who attended some medical college in that state. This figure does not include an additional considerable number of men who studied under preceptors in Vermont but did not attend any medical college in that state.

Practically all of these medical students engaged in dissection, part of them at the medical colleges and others under their preceptors during the intervals between the sessions of the medical colleges. Six students commonly participated in a dissection done in a medical college, and fewer, often only one, in a dissection done with a preceptor. It is fair to estimate that the more than 1,600 students who did dissection in Vermont from 1820 to 1840 used at least 400 cadavers.

The provision for legal acquisition of cadavers furnished only a negligible number at this time, one or two a year. Practically all of the cadavers had to be secured illegally, and most of them were secured within the boundaries of Vermont, where there was conviction for only one disinterment as a felony in these twenty years.

This shows in one state, for a considerable period, the rarity of detection of grave robbing and punishment of the offenders. There must be in the cemeteries, churchyards, and private burial plots in Vermont far more empty graves than was suspected. A similar condition applies to other states in New England.

Of course there are no statistics of undetected disinterments; and they were seldom detected. Discovery in a few cases came many years later when, in the attempt to remove the remnants of a body from the place of original burial to some other location, the excavation of the grave revealed no human skeletal remains.

The lack of accurate statistics of the number who studied medicine in New England in the nineteenth century leaves no basis for an estimate of the number of graves that were robbed in that area in those one hundred years. The great majority of these students did human dissection. Approximately 15,000 men and women were graduated in course by the medical colleges of New England from 1801 to 1900. The number who were students in one or another of this group of medical colleges but did not continue to graduation in any of them is not available, because only a few of the medical colleges have published lists of names of non-graduates. No source of information exists from which to estimate the number who studied medicine under preceptors in New England without attending any medical college in that area. The lack of basis for estimate leaves possible only a conjecture of the number of grave robberies in New England in the nine-

teenth century. Such a conjecture would place the number at a few thousand.

EFFORTS TO PREVENT DISINTERMENT

Enactment of statutes was only a threat of punishment after the act was accomplished, if the offenders were apprehended. Several procedures were used to prevent the accomplishment of disinterment. The simplest was to insert bundles of straw, or of sticks, or large stones or slabs of stone in filling the grave, in order to make excavation difficult. This delayed but did not prevent disinterment. This is also true of the later plan of placing sections of thick planks across the rough box, resting them on a ledge of earth at each side. However, when heavy planks were placed lengthwise of the grave, it became necessary to excavate the entire grave, something rarely done.

Iron coffins were advertised in England about 1830, and mort-safes were used. The latter were riveted grids of iron bars which covered the grave and were so deeply and firmly anchored that removal was extremely difficult. Such mort-safes as those in the Gray Friars Cemetery in Edinburgh can still be seen in many cemeteries in Great Britain. I have found no record of iron coffins or mort-safes in the United States.

Two procedures used in Great Britain were adopted in the United States. One was the construction of public vaults of heavy blocks of stone and iron doors which could be securely locked. Many of these still exist in cemeteries in New England although now seldom used. The dead body was placed in such a vault for a period of time before burial, a practice which, in public estimation, would render it unfit for dissection in the days before embalming was used.

The second imported procedure established a new vocation, that of grave watcher. In many a town was a recognized person who could be employed to sit beside a grave from dusk to dawn with a shotgun across his knees, to repel grave robbers. This service was commonly continued for ten nights, at the end of which period it was believed that no one would want the body for dissection. The efficacy of grave watching was often circumvented. An agent of those who planned a disinterment plied the watcher with whisky late in the afternoon to such extent that he failed to arrive at the grave side, or arriving, slept soundly at his post. A few tales are on record of binding and gagging the watcher while he was sitting at his post. A considerable number of authentic records exist of watchers firing upon grave robbers, generally with slight wounding, because ordinarily birdshot was used as ammunition. One record exists of use of buckshot by which one member of the party was so severely wounded that he died within a few days. The wage

asked by grave watchers was so large that only well-to-do families could employ this method of protecting the bodies of their dead.

THE TIMES AND PLACES OF GRAVE ROBBING

One may ask when graves were robbed, both in relation to the seasons of the year and to the date of burial. Disinterments for use of preceptors in teaching their students and for the use of physicians in improving their own knowledge and art occurred at all seasons of the year except the hot months of summer. The popular opinion that physicians were likely to disinter the body of one who had died of an obscure disease in order "to find out what was the matter" was largely imaginary. The average practitioner was not sufficiently skilled in pathological anatomy to make such acts profitable. A few records show disinterment of the body of one having a rare abnormality, such as hydrocephalus in a child.

The acquisition of bodies for dissection at a medical college was seasonal and closely related to the dates of the sessions of the medical colleges, because during most of the nineteenth century few institutions had provision for preserving bodies. A body was dissected immediately after its receipt, both because the process of embalming was not in use and for the further reason that search for bodies illegally acquired constantly impended.

A majority of the medical colleges of the nineteenth century in New England held their sessions from early November until February. The medical instruction at Dartmouth College was given in the fall, that at the Vermont Medical College at Woodstock in the spring. Castleton Medical College gave both a spring and a fall session. Spring sessions extended from early March to late May, fall sessions from early September to late November. Berkshire Medical College, for a time, began its session in July, but no dissection was done until September. Therefore the procuring of bodies for use in the medical colleges was wholly interrupted in June, July, and August, and largely so in May and September.

For several reasons a grave was opened as soon after burial as possible, often in the first night following burial. The grass and ground about a grave had been trampled at the time of the funeral and further trampling a few hours later would not be detected. If a rain storm intervened between the burial and the disinterment, the loose soil in the grave would be mud and less easily handled. Moreover, after the surface of a grave had been beaten by a storm, it was impossible to make the part that was excavated in a disinterment appear like that which was not excavated. Grave robbing when the ground was covered with snow was barred except when more snow was falling to cover tracks of men and vehicles.

Where were graves robbed, or more pertinently, where were they not robbed? A grave near an inhabited dwelling was avoided because of the risk of discovery by inhabitants of the dwelling during the disinterment. This was well known and in some cases temporary burial was made in the garden of the home of the deceased, or, in one recorded case, immediately under the bedroom window. In such cases the body was exhumed and removed to a cemetery after a few days. Churchyards in the centers of towns and closely surrounded by dwellings were not invaded.

The cemeteries of towns and villages were usually removed some distance from inhabited dwellings, and often off the main highway and reached by a lane. Such locations offered less risk of interruption of a disinterment. Private burial plots on farms were favored locations for disinterments. Graves were robbed not more than twenty miles from the medical college to which the body was to be taken, a distance that could be driven with a span of horses in time to return before daylight so that early risers should not see suspicious activities around a medical college building in the early dawn. Disinterments were made in the early hours of the night to give time for this arrival.

Another factor entered in cities and some larger towns, where, in some cemetery, an area was set aside for burials at public expense, and known as potter's field. The origin of this name goes back to Jerusalem. Judas Iscariot, repentant, returned to the chief priests of the temple the thirty pieces of silver he had accepted for the betrayal of Christ. The priests ruled that this money could not be put in the treasury because it was blood money, and decided to use it to buy a plot of ground for the burial of strangers who died in the city of Jerusalem. An abandoned field, formerly the site of a pottery, lay on the slope of the Mount of Olives. This area, known locally as potter's field, was bought for a place of public burial.¹⁸ This local name has been applied to similar plots for public burial in this and other countries for nearly nineteen hundred years.

A body buried in a potter's field near a medical college did not remain long in the grave. Public authorities made no effort to investigate when a grave in a potter's field was found to have been disturbed. The story is recorded that in some cities having more than one medical college, a gentleman's agreement among the several demonstrators of anatomy brought a system of rotation in disinterment of bodies in potter's field.

THE TECHNIQUE OF GRAVE ROBBING

The fine art of grave robbing involved a technique of several stages. Detection of disturbance of a grave rarely occurred if each step was meticulously followed. The instances of detection resulted from failure to observe some part of the technique.

The first step was to secure knowledge of a prospective burial, usually supplied by some former student of the medical college to the authorities of the institution. A letter by mail or messenger advised an officer of a medical college of the place and day of burial. Such a message was often in code and sent, not directly to the officer, but to some intermediary, such as a druggist in the town of location of the medical college, who understood the import of the message and hastened it to its destination.

The next step was to locate the grave accurately in daylight hours so that search in the dark would be unnecessary. A common method was to reconnoiter as a hunter. A stranger would appear in the neighborhood on the day of burial with a shotgun over his shoulder, apparently hunting small game. Casually strolling through the cemetery, hunting for game, he noted the position of the open grave and its relation to the entrance of the cemetery and to some landmark observable in the dark, such as a large monument, allowing him to find the grave quickly when he should return a few hours later.

Three men and a conveyance were needed in a disinterment. One man must remain with the conveyance, and it was driven away to return at a specified time if the cemetery was located on a public highway, because a conveyance standing in front of a cemetery at night would arouse suspicion of anyone who chanced to pass along the highway.

Two able bodied men were needed to make the disinterment. The entire surface of the grave was carefully examined with a shaded lantern on arrival. A common practice was for some friend of the deceased to arrange on the closed grave a careful pattern of stones, shells, sticks, or flowers in order to detect disturbance. This pattern had to be mapped so that it could be restored exactly after the disinterment.

Two large tarpaulins were necessary parts of the equipment. One was spread beside the grave and all the excavated soil thrown upon it so that when this soil was returned to the grave there should be no telltale bits left on the grass. Inasmuch as in each cemetery all burials were with the head in a certain direction, the position of the head of the grave could be determined by neighboring tombstones.

An excavation approximately three feet square was made at the head end of the grave until the rough box was reached. The depth of the excavation was four feet or less, so that not over thirty-five cubic feet of soil need be handled. Because this was loose dirt, excavation was not a difficult job unless slabs of stones were encountered.

The head end of the rough box was removed by boring a row of holes with an auger. A saw could not be used and use of ax or hatchet

made too much noise for safety. The removal of the cover of the frail coffin was a simple matter.

The next step was withdrawal of the body, usually done with what was called "the hook," a strong iron bar five feet in length; one end was turned up into a blunt hook of about two inches, while the other end had a cross bar handle. The hooked end was placed under the chin of the body and two able bodied men could draw the body from the coffin onto the second tarpaulin previously laid at the head of the grave. The hook seriously injured the structures of the floor and roof of the mouth and an alternative was the use of a harness strapped under the arms of the body, with a ring in the back to which a rope was tied.

The body having been drawn onto the tarpaulin, the shroud or other apparel was usually stripped off and thrown back into the grave. The later disposal of apparel involved difficulty and complete disposal was necessary because clothing, if found, made identification positive. Then the body was closely wrapped and tied or strapped in the tarpaulin. Failure to observe this step of the technique often resulted in something from the body, its apparel, or ornaments being left near the grave and when found giving positive evidence that the grave had been disturbed.

The body having been wrapped, the excavated soil was returned to the grave and the surface carefully restored to the exact condition in which it had been found. Next all tools were counted and wrapped in the tarpaulin upon which the soil had been thrown and the tarpaulin securely tied so that no tool could drop out. This gave only two bundles which two able-bodied men could carry to the waiting conveyance in one trip.

A lantern was used in the work and it was essential that it be fully shaded. The type known as a dark lantern was employed. In some cases the hook was set up on end and the second tarpaulin thrown over it to make a tent over the site during excavation as a further protection of gleams from the lantern. Failure to protect the lantern led to many an interrupted disinterment. A light in a cemetery seen by neighbors would bring a group of enraged citizens to the scene. The men engaged in the disinterment might escape into the darkness but with loss of all of their equipment.

Two able bodied men could complete a disinterment in an hour from the time they entered the cemetery and be on their way. The return was uneventful unless discovery had been made and pursuit followed.

THE RELATION OF MEDICAL COLLEGES TO GRAVE ROBBING

Grave robbing was practiced to furnish bodies for three purposes: for instruction in medical colleges, for instruction by preceptors, and

for the use of practicing physicians. Many preceptors advised their students to do their dissection during the period of their preceptorship rather than during the attendance at a session of a medical college. The advantages cited were that the dissection need not be so hurried and that it would not interfere with attendance upon the lectures during the days that a student was engaged in dissection at a medical college. Also this plan permitted the preceptor to renew his knowledge of anatomy.

The supply of bodies at medical colleges limited instruction in operative surgery on the cadaver at these institutions. A preceptor often resurrected a body and he and his students did a long series of operations on it. Also a physician or a small group of physicians used privately resurrected bodies to improve their art in surgery, especially if a rare and difficult operation was to be done.

The disinterment of bodies by preceptors for instruction of their students and by physicians for improvement of their own knowledge and art was little suspected by the general public, who connected grave robbing almost entirely with dissection in medical colleges.

The lay public was opposed to human dissection, an opposition in part arising from the fact that nearly all legal dissections in the first half of the nineteenth century were of the bodies of executed criminals. It was held that dissection was a posthumous disgrace and placed the person whose body was dissected in the same class as a murderer. This opposition to dissection brought opposition to medical colleges and their establishment. One instance is cited to support this general statement.

A medical college began instruction at Woodstock, Vermont, in 1827. Effort to secure a charter from the legislature failed in four successive sessions, bringing suspension of instruction. One factor in the failure to obtain a charter was the opposition of citizens of Woodstock and neighboring towns because of their fear that a medical college in their vicinity would lead to grave robbing.

The founder of the medical college made arrangements in 1829 for affiliation with a college of arts having power to confer medical degrees. The medical faculty announced resumption of instruction and accompanied this with the following public notice: "We pledge ourselves to the community that we will not use or suffer to be used as far as may come to our knowledge any human body that may have been disinterred hereabouts. It may appear invidious to set limits but we are willing to say the State of Vermont. We are well assured of securing competency of the means from remote parts and in a manner that ever will be justified by the well informed and judicious part of the community."¹⁹ This pledge, even if observed, did not preclude resurrections in New Hampshire, the border of which was only thirteen miles distant.

Another instance of effort to convince the local community that all

material for dissection came from a distance is a resolution passed in January, 1824, by the trustees of the Vermont Academy of Medicine—later Castleton Medical College—located in Castleton, Rutland County, Vermont, and reading as follows: "Resolved by the Corporation that no subject for the use of this institution shall be taken from any graveyard or burying ground in Rutland County but such as may be necessary shall be procured from the great seaports of the neighboring states."²⁰ The nearest seaports were Boston and New York, each more than two hundred miles away in the era before railroads; and each city had its own medical college seeking all available dissecting material.

It is probable that few medical colleges in New England procured material from "remote parts" in the era before railroads, nor much before the time of the Civil War. However, Dr. John Warren is quoted as saying that material for dissection in the medical teaching at Harvard College in the late eighteenth century was secured through agents in New York City.²¹ Also one having intimate knowledge of the medical college at Castleton, Vermont, stated long afterward in personal reminiscences that some bodies were received from Albany and Troy, New York, about fifty miles distant, but hardly deserving the name of "great seaports." These bodies were shipped in brine in barrels marked "beef" or "pork" and consigned to a local groceryman. They were conveyed part of the way on canal boats and the remainder of the way in wagons.²²

In contrast to the statements by country medical colleges that they secured their cadavers from distant cities, the city medical colleges affirmed that they got theirs from remote country districts. The endeavor was to convince the local public that their own graveyards were not robbed, although conceding that those in distant parts were systematically disturbed.

I have found in country newspapers of New England several notices of disturbed graves, in each case with an editorial comment that probably the body went to the medical colleges of Boston or New York, although a medical college was in operation only a few miles distant. Editors supported the medical faculties in the endeavor to persuade the community that any local grave robbing was for the benefit of some distant institution.

It is likely that nearly all cadavers used in each medical college in New England before the Civil War were disinterred in the immediate neighborhood. I have collected a considerable number of records of disinterred bodies having been recovered from medical colleges, in every case from the institution nearest the site of the disinterment.

The receipt of bodies from a distance increased somewhat after the railroads became common and especially after the Civil War, when many bodies of southern Negroes were used in northern medical colleges. Bodies were shipped in barrels labeled as some commodity.

A gentleman, now deceased, who was a demonstrator and later Professor of Anatomy in a medical college in New England, told me a few years ago that during several years in the 'eighties and 'nineties he had an arrangement under which he received twice in each session a shipment of twelve bodies of southern Negroes. They came in barrels marked "turpentine" and consigned to a local hardware store that dealt in painting materials. The receipt of two large shipments of turpentine in the season of the year when little painting was done created no suspicion as to the real contents of the barrels.

The popular opinion that students engaged extensively in robbing graves is erroneous. Every medical college passed regulations forbidding its students to disinter bodies. These were published in announcements and catalogues and periodically in neighboring newspapers. The prohibition was made because the authorities of medical colleges knew that disinterments by students, tyros in the fine art of grave robbing, were likely to be detected. Medical students rarely attempted disinterments independently.

The procuring of material for dissection was the duty of the demonstrator of anatomy, who was carefully instructed in the technique of the art. In many cases he employed laymen to do the work and at other times he directed the work personally. He sometimes used students as assistants but more often employed men with more physical power than youthful students ordinarily have.

CONCEALMENT AND DISPOSAL OF CADAVERS

Officers of the law could search the buildings of medical colleges seeking the body when a disinterment was discovered. Frequently a committee of citizens accompanied a constable to the nearest medical college, even if at a considerable distance. Often they would have had more success if they had searched the hay loft of a physician in their own or a neighboring town. A constable had jurisdiction only within his own town. He had no authority to search a medical college building in another town and therefore had to call on the sheriff to accompany him in the search. Sometimes an arrangement existed between the authorities of a medical college and the local sheriff under which the sheriff, on arrival of a constable seeking a disinterred body, would send in code to the medical college a message advising of impending search and then delay the constable on some pretext to give time for concealment at the medical college.

A sheriff had jurisdiction only within his own state. Therefore medical colleges located near a state boundary, such as those at Hanover, New Hampshire, Castleton and Woodstock, Vermont, and Pittsfield, Massachusetts found less risk by extending their sources of material to

the neighboring state. If, on the return, the state border was crossed, legal pursuit had to stop.

A medical college usually had few illegally acquired bodies on hand at any one time and a respite of an hour or less would permit concealment of these few in a prepared place which existed in every medical college. Presently reference will be made to the place of concealment in the outer wall of the building of the medical college at Castleton, Vermont. A few other devices may be mentioned.

Pictures of many medical college buildings erected in the nineteenth century show a superstructure rising from the roof variously called a dome, cupola, belfry, or in a few cases, an observatory. A picture of the first building of the Albany Medical College shows a structure resembling a church spire. The interior of such a super-structure was reached, not by a stairway, but by a ladder through a trap door in its floor. A permanently installed block and tackle permitted one or a few cadavers to be hoisted quickly into the superstructure. The closure of the trap door and hiding of the ladder in a prepared place in the wall of the building made the superstructure inaccessible. Many a constable, searching all corners of an attic, little suspected that the object of his search was resting a few feet over his head.

Another place of concealment was a wide chimney of a fireplace in a dissecting room. A few pulleys provided with chains, because a rope might burn off, were anchored well up in the chimney. News of impending search was followed by hoisting of cadavers into the chimney and starting of a fire in the fireplace. The burning fire did not suggest to the uninitiated that the chimney should be searched. The cadavers suffered no harm except a little smoking.

Medical colleges of the nineteenth century often used wood as a fuel for heating, either by stoves or fireplaces. A pile of heavy dry wood in the cellar might well cover a receptacle below the level of the floor capable of holding several bodies.

Dissection was rapidly carried through when a body was secured. Diaries of students show that they worked continuously, even until early morning hours, and were excused from attending lectures until the dissection was completed, usually within a week.

When a body was received at a medical college the first act was to burn all articles of clothing if these had not been returned to the grave. A few hours sufficed to remove the skin from the head and any superficial scars or marks so as to make the body unrecognizable as that of a particular person, if search was made before concealment had been accomplished. In that era there was little reparative dentistry to assist in identification. These measures, and the usual accomplishment of concealment before searchers entered, brought as a result that the searching of a medical college was seldom successful for the searchers.

SOME PARTICULAR INCIDENTS

I select from a considerable collection of authentic records a few episodes, each of which has some uncommon feature.

The inhabitants of Chebacco Parish of Ipswich, Massachusetts, saw glimmers of light in their cemetery on a night in January, 1818 when snow was falling rapidly. When the snow melted there was found in the cemetery a hair ornament of peculiar design known to have been buried on a young woman who had died a few days before the lights were seen in the cemetery. Her grave was opened and found empty, and also the graves of seven others who had been buried that fall or winter. Two steps of faulty technique led to the discovery: the neglect to shade the lantern properly when disinterring, and failure to wrap the body so that the comb could not fall off.

The local physician was arrested when identifiable parts of three different bodies were found on his premises. He had a group of students at the time under instruction in operative surgery.

Three indictments were found for possession of disinterred bodies. One indictment was nol-prossed on the plea of counsel that it was inaccurately drawn. The physician was tried and convicted on the two other indictments and fined a total sum of \$800, the largest fine for grave robbing of which I have found record.

Daniel Webster was attorney for the defendant. Mr. Webster was at this time a Member of Congress, and invited the physician to remove to Washington because his local practice had been ruined. Mr. Webster promoted the cause of the physician in Washington so that he became the personal physician of three presidents of the United States, and later founded the first medical college in Washington. Elsewhere I have described other interesting facts related to this largest multiple grave robbing which I have found in New England.²³

Six weeks after the medical college at Woodstock, Vermont, resumed instruction, under the pledge of the faculty to disturb no graves in Vermont, a grave in a Vermont village ten miles from Woodstock was found to have been emptied. A committee of citizens and a constable came and searched the medical college building. They found nothing.

Nevertheless four medical students were arrested and given a hearing before a justice of the peace. Two were discharged and the other two jointly indicted.²⁴ The Commencement of the medical college came in early June, with small attendance at the function. A week later the trial of the two students was held. The town was filled with people from all surrounding towns, and the courtroom from eight in the morning until eleven at night, when a jury brought in a verdict of not guilty.²⁵

Seven months later the grave of a woman at Hubbardton, Vermont, in Rutland County, was found empty. At daylight on Monday, November

29, 1830, a body of three hundred men, in three divisions, one led by the sheriff of the county, started from Hubbardton and marching five miles to Castleton, surrounded the medical college building at nine o'clock. Entrance was delayed for some time on the plea of the dean that he had lost the key. A committee of the attackers was permitted to enter and searched the building and was about to leave when one of them noticed a loose nail in a board of the wainscoting—one writer says it was the floor—and tearing off the boards found the body of a woman which could not be identified because it had been decapitated.

Meanwhile a student had passed through the crowd of attackers walking leisurely with an unnoticed bundle under his overcoat, which he took to a neighboring barn and deposited in the haymow. The sheriff demanded the missing head. The dean said it would be produced if the sheriff would pledge that no arrests would be made. This pledge having been given, the student made another leisurely trip to the haymow and, returning with a bundle under his overcoat, handed it to the sheriff. The body was taken back to Hubbardton and returned to its grave. This episode was known in southern Vermont as "The Hubbardton Raid."²⁶

Two graves were found empty in Burlington, Vermont, in March, 1834. Two men were arrested and indicted, each on two counts, for "disinterring the body of the dead."²⁷ The younger of the two was at the time a student in the Clinical School of Medicine at Woodstock, Vermont.

This episode led to a document signed by one hundred and twenty-five citizens of Burlington which is unique, so I quote it in full:

Burlington, March 25, 1834

To the Faculty of the Medical College
at Woodstock Vermont.

Gentlemen,

The examination of John F. Daggett, bound over for trial at the next term of the County Court, recently a student in your institution, as well as very intelligible intimations from him since his trial renders it certain, in the opinion of the undersigned and of this community that the body of Mrs. Holbrook late of this place was removed to Woodstock and is now in your College. Mrs. Holbrook was, and her family are highly respectable; and the disinterment of her remains has occasioned to her relatives a distress which you can properly appreciate, and is universally regarded as a vile outrage which will not be submitted to unless the laws have lost their power to punish.

Information upon which we rely renders it probable that the dissecting Knife has not been used upon her remains; and the undersigned submit to you, Gentlemen, whether your duty to the publick does not demand that her body shall be restored. We are unwilling to beleive [sic] that Gentlemen so respectable as the Faculty of the Woodstock Medical School would countenance in the smallest degree an outrage of the kind—and although we fully

believe that the true character of the outrage was unknown to you at the time, and would be indignantly reprobated by you at any time, yet we can have little doubt that your endeavours to procure the restoration of the body would be successful, and probably would be the sole means of effecting it.

We ask, therefore, your assistance and beleive [sic] it will be granted, as due to justice, to the feelings of a family lacerated for the means, the atrocious motive of gain, to public opinion and to the character of your institution.

Yours respectfully²⁸

This episode impressed the faculty, as shown by a statement in the announcements of the medical college during a few subsequent years and printed in italics with a pointer calling especial attention as follows: "No subject for dissection will be received from any person at any time."²⁹

Presumably the body was returned because one indictment against each offender was quashed by order of the state's attorney. The two brothers were tried jointly under the indictment remaining against each and convicted. They were given the minimum sentence named in the statute, three years in state prison.³⁰ This is the only prison sentence for grave robbing that I have found anywhere in the United States. I have records of arrests and trials in which the charge was reduced from that of a felony to that of trespass, a misdemeanor, and a nominal fine imposed, with several records of fines of five dollars.

The legal profession, including judges, recognized the necessity of human dissection in the preparation of members of a sister profession for efficient practice, and, in the absence of adequate anatomical laws, were not disposed to punish severely the illegal acquisition of material for dissection.

The records of the Vermont State Prison, recently consulted, show that the older of the two brothers served the full sentence. The younger brother, who was the medical student, was released after part of the sentence was served. He returned to the medical college and was graduated and immediately went to Illinois where he practiced during more than fifty years and became the leading surgeon in the county of his residence and was elected and served one term in the Illinois state senate.³¹

The grave of a young woman buried in a village not far from Pittsfield, Massachusetts, the location of the Berkshire Medical College, was found to have been emptied in September, 1840. The medical college building was searched and the body recovered and returned to the village where a second funeral was held. The attendance at the first funeral was about forty persons. The second funeral attracted over six hundred people from that and surrounding villages. There are various instrumentalities through which some have acquired posthumous renown.

This is the only one in my knowledge in which the instrument was a grave robber's hook.

A late record of a grave robbing was one of December, 1895, when two students of the Dartmouth Medical College, on their way to an entertainment, noticed a newly made grave in a rural cemetery in Vermont. On their return in the early morning hours they disinterred the body and took it to the medical college. The two students were amateurs in grave robbing and left evidence of disturbance of the grave which was temporarily obscured by falling snow. The snow melted after a few days and the disinterment was discovered and followed by search of the medical college building and recovery of the body. The two students were arrested, tried, convicted, and fined.

THE LITERATURE OF GRAVE ROBBING

A considerable literature has been published on this subject. I mention six items, half of them by English writers and half by Americans.

Charles Dickens published serially in a magazine in 1859 a work in which is a chapter with the title, "The Honest Tradesman." This introduces the character of Jeremiah Cruncher who pursued a respectable vocation by day and at night supplemented this by activities as a "resurrection-man" in London.³² The scene is laid late in the eighteenth century. The author describes exhumation of the coffin, which is opposed to the basic principle in the technique that no evidence of disturbance of the grave should be left. Such a plan would also much increase the labor in securing the body.

Robert Louis Stevenson in 1881 wrote a tale with the title, "The Body Snatcher." It was first published in the *Pall Mall Gazette*, a magazine in London, in December, 1884.³³ This magazine issued posters which were so lurid that the police confiscated them.³⁴ The plot is based upon events connected with the extensive robbing of graves near Edinburgh in the eighteen twenties, which led to some executions for murder. The author includes some of the real characters of these events with slight changes of names. He repeats the inaccuracy of Dickens in describing the removal of the coffin from the grave.

A third item of English authorship was published in 1896 and purports to be the diary of one of the resurrectionists of Edinburgh in the 'twenties. The authenticity is doubtful but the book cleverly simulates an actual record of an uncouth offender and is of value for its extensive bibliography.³⁵

An informative and well written book was published in 1928 by a physician of St. Louis who was interested in medical history. It shows much study of records of events both in Europe and the United States and is probably the best illustrated account readily available.³⁶

Mention has already been made of "The Hubbardton Raid" at the medical college in Castleton, Vermont, in 1830. The forty-ninth anniversary of this episode was observed at Castleton on November 29, 1879 in the form of an "oyster supper," a favored method of entertainment in the latter decades of the nineteenth century in New England. A physician who had been in practice in Castleton for more than twenty years read on this occasion a poem with the title of "Song of the Hubbardton Raid." It is written in the meter of Longfellow's *Hiawatha* and contains nearly five hundred lines.³⁷

This is the only item of poetry regarding grave robbing that I have found except a few lines in halting meter and defective rhyme that attempt to predict the final destiny of most physicians. They occur in an epitaph in a cemetery in Hoosick, New York and are unusual enough to quote in full. They read as follows: "Ruth Sprague, aged nine, died 1846. She was stolen from the grave by Roderick R. Clow and dissected at Dr. P. M. Armstrong's office at Hoosick, New York, from which place her mutilated remains were obtained and deposited here.

Her body stolen by fiendish men,
Her bones anatomized,
Her soul, we trust, has risen to God,
Where few physicians rise."

Dr. Prosper Merrick Armstrong was graduated at the Berkshire Medical Institution at Pittsfield, Massachusetts, in 1826. I have not found a record of Mr. Clow.

An interesting item in this group of literature, and now a rare item for collectors of medical history, is a novel published in Boston in 1846.³⁸ The author was a student in Harvard Medical School during one session a few years earlier. He did not continue in medicine but became a writer. His work was articles in magazines, short novels, and tales, chiefly of a lurid nature. He was one of the popular writers of the latter half of the nineteenth century and published more than twenty novels. The novel here described was one of his earlier works.

The scene is clearly laid in Boston. The major theme is grave robbing with a secondary theme of prostitution, which reflects the current public opinion of that era regarding the morals of medical students. They were reputed to be given to drunkenness, sexual immorality, gambling, and other excesses to such an extent that they were not welcomed in polite society. This popular opinion arose in large part from the fact that every medical student was considered to be a grave robber, either actual or potential, and grave robbing was popularly considered despicable. Some medical students of that period strove to live up, or down, to their reputation with the laity.

The plot is unique. A commercial grave robber brings to a medical

student the body of a young woman. The student, on viewing the body, concludes that it is too beautiful to be dissected. He calls the grave robber and pays him to return the body to its grave. The student removes a ring of peculiar design from a finger of the body and replaces it with one from his own hand, also of peculiar design.

The grave robber, instead of returning the body to its grave as directed, sells it to a second medical student, who, noticing signs of life, calls in a "medical professor," and with the use of electricity they revive the young woman and she is restored to health and her family.

A few months pass and the first medical student is introduced to a beautiful young woman at a social gathering and recognizes on her hand the ring he formerly owned. He asks to examine it. The young woman says she has no idea where she acquired the ring. The student then shows her the ring on his own finger which she at once recognizes as one she formerly owned. They are married and live happily ever after.

This ingenious plot shows imagination. A short time after first reading this novel I was examining a history of the southern part of Maine, and in the index found an entry "body stealing." Turning to the page I found under a general heading of "Fireside Tales" a story of a young woman who apparently died suddenly and was buried late in the same day. That night a medical student disinterred the body. He noticed signs of life when carrying the body to the residence of his preceptor, where they revived the young woman, and she and the medical student were later married.³⁹ Although the author of the volume says that at the time this was written there were people of veracity yet living who attested the truth of the story, the tale itself has internal evidence of falsity, such as the disinterment by one individual single-handed.

The occurrence of this bizarre plot in two tales seemed a curious coincidence and on seeking some connection I found that the author of the novel was a native of the region in which the scene of the second tale is laid. I do not know which tale is the older but the interrelation is evident.

These two tales suggest the topics of revival after apparent death and of burial alive.

Authentic records exist of the revival of those apparently dead after having been placed in their coffins, in one case during funeral services when the supposed deceased person was literally "wakened from the dead" by the stentorian exhortations of the preacher.

Reports of finding skeletal parts in unusual positions when the remains of a body were removed long after death from one place of burial to another convinced people that burials alive had occurred. The fear of burial alive was vivid and many a person directed that a knife be plunged through his heart before burial.

Also this fear stimulated invention. The United States granted twenty-two patents, the first in 1868, for devices to signal any movement of a buried body. The activating mechanisms were counter weights, springs, clockwork, and electric circuits, which raised a semaphore or started a bell ringing above the grave. Conveniences were supplied in some of these inventions, such as patent number 81,437 which provided a rope placed in the hand of the buried body with which, if he revived, he might ring a bell installed above the grave; if he lacked the strength to climb a ladder in a chute that led from the coffin to the surface. A large number of articles in journals, both professional and lay, and a few books have been published on the subjects of resuscitation after apparent death and upon burial alive.

The procedure of robbing graves was distasteful to all members of the medical profession. A physician either personally helped in a disinterment or was an accessory before the fact if he employed an agent to do it, or an accessory after the fact if he received a body which he knew must have been illegally disinterred.

However, the physician who engaged in teaching, either as a private preceptor or as a member of the teaching staff of a medical college, faced the alternative of such participation or of recommending to the community as a medical practitioner a young man that was inadequately trained because of lack of opportunity to study practical anatomy. It was better to be a party to emptying one grave than to be responsible for sending into the community to practice medicine one who, for lack of knowledge of human anatomy, might become the agent of filling many graves with bodies sent there before their time.

Grave robbing, primarily charged to the medical profession, was equally or more the fault of the entire public who neglected to provide through their representative lawmakers for adequate material to teach anatomy properly.

Grave robbing was definitely related to medical education in the nineteenth century and was a necessity in the absence of legal provision for human dissection. The long road before adequate anatomical laws were adopted in each state in New England in the closing years of the nineteenth century and the opening years of the twentieth century is another story with many interesting features. The robbing of graves ceased completely when such laws came into force, and could have been stopped many years earlier had not the aversion and prejudices of the people delayed enactment of proper laws. It is unlikely that any grave has been robbed in New England in the past forty years to provide a body for dissection.

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